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January 8, 2018

Dr. Michael Berkland
forensicspieces@aol.com

RE: The Death of Sheena Morris, ME case # 2009-0001-MA-001

Dr. Berkland,

In your email dated December 31, 2018, you submitted three documents for our review regarding the death of Sheena Morris. Two of those appear to be identical pdf files titled “Forensic Consultative Report Death Investigation on Sheen Morris” and the third is a Powerpoint presentation titled “Powerpoint of Sheena Morris with Additional Physical Evidence.” The primary point of interest you raise is the association of the lividity pattern on Sheena’s back noted on photos from the death scene with a wicker chair taken from the resort. In response we offer the following comments:

1. According to all of the investigative information, Sheena was known to be alive at 1:50 AM, was not responding to the resort manager at 14:17 and was pronounced dead at 14:46. The photo of interest was taken at about 16:30, though the exact time cannot be confirmed. Clearly, the body was not significantly disturbed during the four-plus hours from the time that the manager first alerted authorities to the time that the photo showing the lividity was taken. Thus the body remained hanging in the shower stall for those hours. In all likelihood, the body was hanging in the shower for several hours longer than four, but this remains unclear. While the lividity at the time of the photo and the accompanying scene examination is described by the investigator as “fixed,” it clearly was not since the pattern changed significantly after the photo was taken (in fact, the pattern of interest, along with the accompanying elastic waist-band pattern, was no

longer visible in autopsy photos taken the next day). In the photo of interest, the elastic waistband pattern is crisp and clear and appropriately positioned to have developed while the body was hanging in the shower.

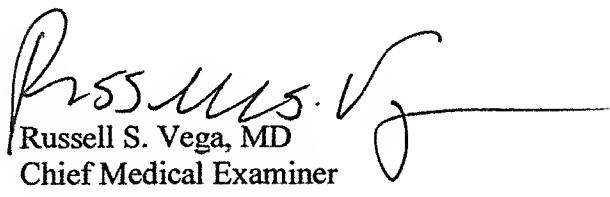
2. For the chair to impart a lividity pattern onto the body, the body would have to sit in the chair for at least a few short hours prior to being moved from the chair. However, if the lividity were not fixed at the time the body was moved (as it clearly was not, since this would have been at a minimum of four hours prior to the time of the photo of interest, see paragraph #1, above) the lividity would shift again in response to the new position of the body. With at least four hours to do so, the shifting would be expected to be pronounced. However, the pattern of interest in the photo is crisp and clear, and of identical character to the pattern imparted by the elastic band of the pants. The general appearance is highly suggestive of the waist band pattern and the pattern of interest being imparted at the same time and over the same interval – while the body was hanging.
3. The chair that you recently obtained from the resort appears similar to the chairs observed in our photos from the death scene. I have no reason to doubt that the chair you obtained and analyzed is similar in structure and pattern to that present at the scene 10 years ago, though this cannot be confirmed.
4. The piece of evidence to which the chair is compared is a photo from the death scene showing Sheena's lower back with the sweatshirt and undershirt pulled up. In that photo, it is important to note that the portions of the sweatshirt and undershirt that were overlying the lower back prior to the manipulation of the body and clothing are not visible. In addition, no other available photo shows these areas of the clothing.
5. As you know, to accurately compare patterns from photographs, not only is a 1:1 size reproduction required, but the perspective (preferably orthogonal to the surface) must also be the same. The photo referenced above is clearly taken from a significant oblique angle and does not include a reference ruler or circular perspective indicator. While the use of an internal reference such as the tag of the underwear (the technique you used) can be useful, there is no good way to reproduce or numerically account for the oblique angle. This is especially important since the photo of the chair that was used for comparison appears to have been taken from an orthogonal or "straight-on" perspective (and does include the circular indicator). In fact, since the angles that you found in your overlay of the images are essentially equal, the difference in perspective of the photos only serves to exclude the chair as having caused the lividity pattern.

In summary, we strongly disagree with the conclusions that, based on the lividity pattern, either 1) the pattern must have been caused by the chair; 2) the body must have been moved to the hanging position after the pattern developed, or 3) both. While we agree with your opinion that the lividity pattern is not readily explained from the photos or other available information, this uncertainty does not change our overall opinion regarding the cause and manner of death as currently certified. Anecdotally, in our experience, most such linear patterns of lividity sparing are caused by creases or seams in clothing.

Sincerely,



Suzanne R. Utley
Associate Medical Examiner
District Twelve of Florida



Russell S. Vega, MD
Chief Medical Examiner
District Twelve, Florida

Cc: Kelly Osborne